



Fair Political Practices Commission

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www.fppc.ca.gov

NEWS RELEASE

For Immediate Release:
December 1, 2005

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FPPC enforcement decisions: December 1, 2005

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Thursday, December 1, 2005. Decisions are divided by category and include a brief summary of each case and the total amount of the fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the December agenda on the FPPC website at <http://www.fppc.ca.gov>. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions ordered by the commission. Exhibits in support of the stipulations and default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Reporting Violations

In the Matter of No on Knight-No on Prop 22 and Cary Davidson, FPPC No. 02/170. Staff: Assistant Division Chief William L. Williams, Jr. Respondent No on Knight-No on Prop 22 was a committee primarily formed to defeat Proposition 22, the "Defense of Marriage Act," a state ballot measure being voted on in the March 7, 2000 primary election. Respondent Cary Davidson was the treasurer of Respondent Committee. Respondents No on Knight-No on Prop 22 and Davidson violated the Political Reform Act by failing to report sub-vendor information, in violation of Government Code sections 84211, subdivision (k)(6) and 84303 (5 counts); failing to accurately report campaign contributions and contributor information, in violation of Government Code section 84211, subdivision (f) (2 counts); failing to disclose the receipt of late contributions in properly filed late contribution reports, in violation of Government Code section 84203, subdivision (a) (14 counts); and failing to timely send out major donor notices, in violation of Government Code section 84105. (2 counts). \$35,000 fine.

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Statement of Economic Interests Violations – SEI Fast Track Program

- **In the Matter of Harvey Ryan, FPPC No. 05-0538.** Staff: Enforcement Political Reform Consultant Wayne Imberi. Harvey Ryan, a member of the Lake Elsinore Planning Commission, failed to timely file a combined assuming office, 2004 annual and leaving office statement of economic interests in violation of Government Code sections 87203. (1 count). \$100 fine.
- **In the matter of Jeffrey Sterman, FPPC No. 05-0467.** Staff: Enforcement Political Reform Consultant Wayne Imberi. Jeffrey Sterman, a member of the San Francisco Health Plan Governing Board, failed to timely file a 2004 annual statement of economic interests in violation of Government Code section 87300 (1 count). \$100 fine.

Major Donor – Streamlined Program

Failure to Timely File Major Donor Campaign Statements. Staff: Chief Investigator Sue Straine and Political Reform Consultant Mary Ann Kvasager. The following entity has entered into a stipulation for failing to file a major donor campaign statement that was due during calendar year 2004, in violation of Government Code Section 84200:

- **In the Matter of A. William Allen, III, FPPC No. 05-0547.** A. William Allen, III of Newport Coast failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 (1 count). \$400 fine.
- **In the Matter of Robert D. Basham, FPPC No. 05-0549.** Robert D. Basham of Tampa, Florida failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 (1 count). \$400 fine.
- **In the Matter of The Kick Law Firm, APC, FPPC No. 05-0552.** The Kick Law Firm of Los Angeles failed to timely file a semi-annual campaign statement disclosing contributions totaling \$50,000.00 (1 count). \$900 fine.

Late Contribution – Streamlined Program

Failure to Timely File Late Contribution Reports – Proactive Program. Staff: Chief Investigator Sue Straine and Political Reform Consultant Mary Ann Kvasager. The following persons and entities have entered into stipulations for failure to file late contribution reports in 2004, in violation of Government Code Section 84203:

- **In the Matter of Ace Parking Management, Inc., FPPC No. 05- 0553.** Ace Parking Management, Inc. of San Diego failed to timely disclose a late contribution totaling \$10,000.00 (1 count). \$1,500 fine.

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- **In the Matter of Albertson's, Inc., FPPC No. 05-0554.** Albertson's Inc. of Boise, Idaho failed to timely disclose a late contribution totaling \$25,000.00 (1 count). \$3,500 fine.
- **In the Matter of Berman, DeValerio, Pease, Tabacco, Burt & Pucillo, FPPC No. 05-0556.** Berman, DeValerio, Pease, Tabacco, Burt & Pucillo of San Francisco failed to timely disclose a late contribution totaling \$10,000.00 (1 count). \$1,500 fine.
- **In the Matter of Casey, Gerry, Reed & Schenk, FPPC No. 05-0557.** Casey, Gerry, Reed & Schenk of San Diego failed to timely disclose a late contribution totaling \$10,000.00 (1 count). \$1,500 fine.
- **In the Matter of Ganong & Wyatt, LLP, FPPC No. 05-0558.** Ganong & Wyatt, LLP of Bakersfield failed to timely disclose a late contribution totaling \$10,000.00 (1 count). \$1,500 fine.
- **In the Matter of Levin, Simes & Kaiser, LLP, FPPC No. 05-0563.** Levin, Simes & Kaiser, LLP of San Francisco failed to timely disclose a late contribution totaling \$10,000.00 (1 count). \$1,500 fine.
- **In the Matter of Lexington Law Group, LLP, FPPC No. 05-0564.** Lexington Law Group, LLP of San Francisco failed to timely disclose late contributions totaling \$15,000.00 (2 counts). \$2,250 fine.
- **In the Matter of Milberg, Weiss, Bershad & Schulman, LLP, FPPC No. 05-0566.** Milberg, Weiss, Bershad & Schulman, LLP of New York, New York failed to timely disclose a late contribution totaling \$50,000.00 (1 count). \$3,500 fine.
- **In the Matter of Paycom.net, LLC, FPPC No. 05-0570.** Paycom.net, LLC of Marina del Rey failed to timely disclose a late contribution totaling \$25,000.00 (1 count). \$3,500 fine.
- **In the Matter of Sierra Tel Communications Group, FPPC No. 05-0573.** Sierra Tel Communications Group of Oakhurst failed to timely disclose a late contribution totaling \$26,600.00 (1 count). \$3,500 fine.
- **In the Matter of Stars Behavioral Health Group, FPPC No. 05-0574.** Stars Behavioral Health Group of Oakland failed to timely disclose a late contribution totaling \$12,061.00 (1 count). \$1,809.15 fine.

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- **In the Matter of Whatley Drake, LLC, FPPC No. 05-0578.** Whatley Drake, LLC of Birmingham, Alabama failed to timely disclose late contributions totaling \$10,000.00 (2 counts). \$1,500 fine.

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